

115TH CONGRESS
1ST SESSION

H. R. 682

To amend titles XIX and XXI of the Social Security Act to eliminate the CHIP maintenance of effort requirement and to eliminate DSH cuts for States not implementing the ACA Medicaid expansion.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2017

Mr. MULLIN (for himself, Mr. RUSSELL, and Mr. GROTHMAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend titles XIX and XXI of the Social Security Act to eliminate the CHIP maintenance of effort requirement and to eliminate DSH cuts for States not implementing the ACA Medicaid expansion.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preserving Access to

5 Medicaid for Americans Act of 2017”.

1 **SEC. 2. ELIMINATION OF MOE REQUIREMENT FOR CHIP**

2 **ELIGIBILITY.**

3 Section 2105(d)(3) of the Social Security Act (42
4 U.S.C. 1397ee(d)(3)) is amended by striking “September
5 30, 2019” and inserting “the date of the enactment of
6 the Preserving Access to Medicaid for Americans Act of
7 2017”.

8 **SEC. 3. ELIMINATION OF DSH CUTS FOR STATES NOT IM-**

9 **PLEMENTING ACA EXPANSION.**

10 (a) IN GENERAL.—Section 1923(f)(7) of the Social
11 Security Act (42 U.S.C. 1396r-4(f)(7)) is amended—

12 (1) in subparagraph (A)—

13 (A) in clause (i)—

14 (i) in the matter preceding subclause
15 (I), by striking “each of fiscal years 2018
16 through 2025” and inserting “each of fis-
17 cal years 2019 through 2028”; and

18 (ii) in subclause (I)—

19 (I) by striking “the amount spec-
20 ified under the DSH health reform
21 methodology under subparagraph
22 (B)” and inserting “the amount of
23 the aggregate reduction target”; and

24 (II) by striking “DSH allotments
25 to States” and inserting “the DSH al-

lotment to each expansion State” each place it appears;

3 (B) in clause (ii)—

4 (i) in the matter preceding subclause
5 (I), by striking “The aggregate reduc-
6 tions” and inserting “In applying subpara-
7 graph (B), the aggregate reduction tar-
8 gets”;

9 (ii) by striking subclause (I);

10 (iii) by redesignating subclauses (II)
11 through (VIII) as subclauses (I) through
12 (VII), respectively;

13 (iv) in subclause (VI) (as so redesign-
14 nated), by striking “and” at the end;

15 (v) in subclause (VII) (as so redesignated), by striking the period at the end
16 and inserting “; and”; and
17

18 (vi) by adding at the end the following
19 new subclause:

“(VIII) \$8,000,000,000 for fiscal years 2027 and 2028.”;

22 (C) by amending clause (iv) to read as fol-
23 lows:

24 “(iv) DEFINITIONS.—For purposes of
25 this paragraph:

1 “(I) The term ‘expansion State’
2 means, for a fiscal year, a State that,
3 as of the date that is 180 days before
4 the start of such fiscal year, provides
5 for eligibility under clause (i)(VIII) or
6 (ii)(XX) of section 1902(a)(10)(A) for
7 medical assistance under this title (or
8 a waiver of the State plan approved
9 under section 1115).

10 “(II) The term ‘non-expansion
11 State’ means, for a fiscal year, a
12 State that is not an expansion State
13 for such fiscal year.

14 “(III) The term ‘State’ means
15 the 50 States and the District of Co-
16 lumbia.”; and

17 (D) in clause (v), by striking “DISTRIBU-
18 TION OF AGGREGATE REDUCTIONS.—The Sec-
19 retary shall distribute the aggregate reductions
20 under clause (ii) among States” and inserting
21 “DISTRIBUTION OF AGGREGATE REDUCTION
22 TARGETS.—The Secretary shall distribute the
23 aggregate reduction targets under clause (ii)
24 among all the States (including non-expansion
25 States)”;

(b) CONFORMING AMENDMENT.—Section 1923(f)(8) of the Social Security Act (42 U.S.C. 1396r-4(f)(8)) is amended by striking “fiscal year 2025” and inserting “fiscal year 2028”.

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